

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** Celery Avenue Administrative Large Scale Land Use Amendment

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** MW Matthew West **CONTACT:** AS Amanda Smith **EXT.** 7339

**Agenda Date** 09/18/02 **Regular** ☐ **Work Session** ☐ **Briefing** ☐  
**Special Hearing – 6:00** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. Recommend approval to the Board of County Commissioners of an administrative comprehensive plan amendment from Suburban Estates to Low Density Residential and Mixed Development for approximately 640 acres, located on the north and south sides of Celery Avenue; or
2. Recommend denial to the Board of County Commissioners of an administrative comprehensive plan amendment from Suburban Estates to Low Density Residential and Mixed Development for approximately 640 acres, located on the north and south side of Celery Avenue;
3. Recommend a continuance until a date certain.

District 5, McLain

Amanda Smith, Senior Planner

**BACKGROUND:**

In June 2002, the Board of County Commissioners directed Planning Staff to process two administrative land use amendments for the Celery Avenue Corridor Area. The first area, known as Section One, comprising approximately 538 acres, is an administrative land use amendment request from Suburban Estates to Low Density Residential. The remaining 94 acres, known as Section Two, is an administrative land use amendment request from Suburban Estates to Mixed Development.

During the Fall 2001 Large Scale Land Use Amendment Cycle, Planning Staff processed an administrative land use amendment, but the Board of County Commissioners chose

**Reviewed by:**

**Co Atty:** \_\_\_\_\_

**DFS:** \_\_\_\_\_

**OTHER:** \_\_\_\_\_

**DCM:** \_\_\_\_\_

**CM:** \_\_\_\_\_

**File No. Z2002-017  
02F.ADM01**

not to transmit the request to the Department of Community Affairs for review. Since that time, the City of Sanford has approved two single family residential subdivisions, which will permit up to 600 new homes in the area. Additionally, the City of Sanford has planned over \$45 million in sewer and potable water upgrades and improvements and anticipates installing a new lift station to expand capacity in the Celery Avenue Corridor area.

**PLANNING STAFF RECOMMENDATION:**

Planning Staff recommends the transmittal to the Florida Department of Community Affairs of the administrative land use amendment from Suburban Estates to Low Density Residential for review. However, Planning Staff does not recommend adoption of the Low Density Residential land use until an interlocal agreement with the City of Sanford is approved by both jurisdictions, as detailed below, with findings that the Low Density Residential land use, as proposed would be:

1. Consistent with Vision 2020 Plan policies related to the Low Density Residential land use designation; and
2. Consistent with adjacent Suburban Estates land use; and
3. Appropriate transitional use at this location; and
4. Consistent with the development trends for the development of single family residential subdivisions along the Celery Avenue Corridor within the City of Sanford; and
5. The proposed Low Density Residential land use represents an orderly progression from developed areas in the west to the east; and
6. Consistent with Vision 2020 Plan policies identified at this time.

Planning Staff recommends the transmittal to the Florida Department of Community Affairs of the administrative land use amendment from Suburban Estates to Mixed Development for review. However, Planning Staff does not recommend adoptions of the Mixed Use Development land uses until an interlocal agreement with the City of Sanford is approved by both jurisdictions as detailed below with findings that the Mixed Use Development, as proposed, would be:

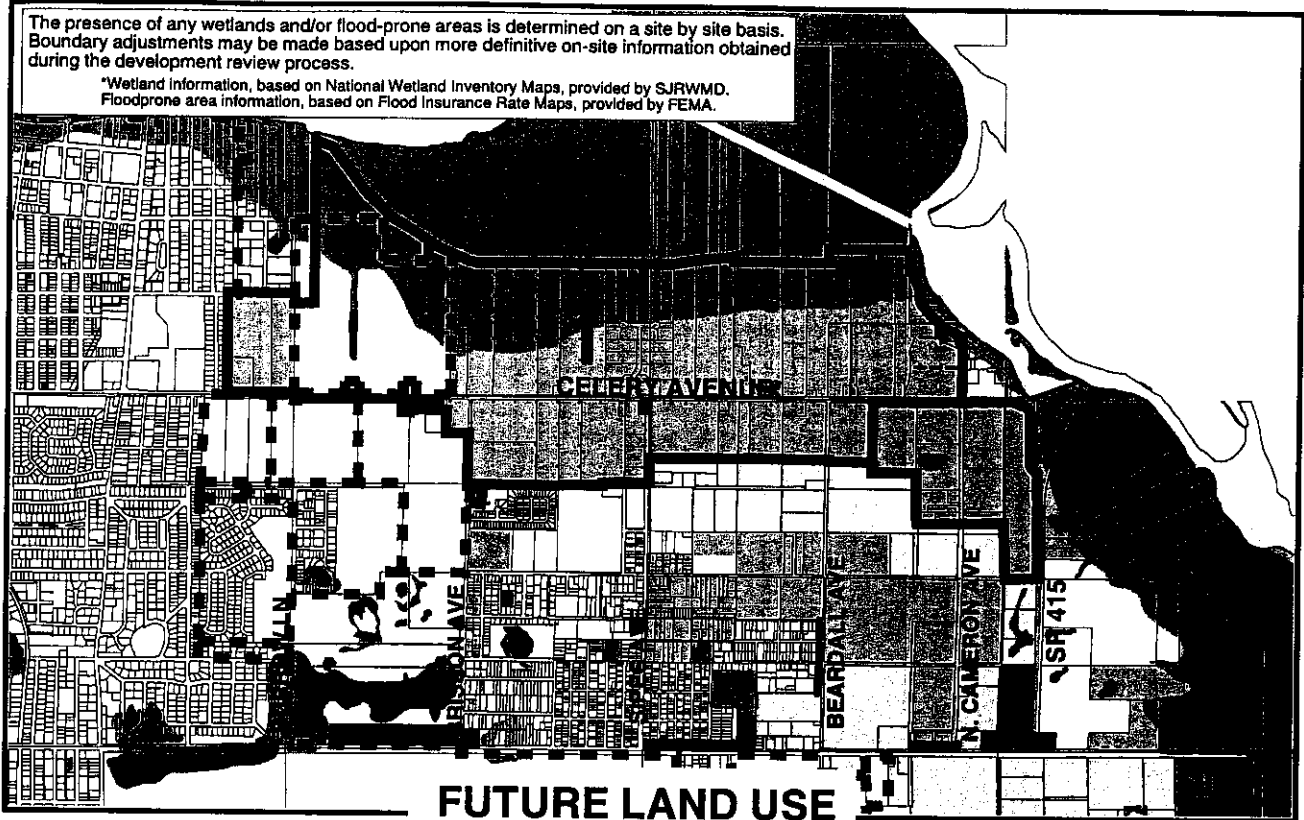
1. Consistent with Vision 2020 Plan policies related to the Mixed Use Development land use designation; and
2. Consistent with adjacent Suburban Estates, Low Density Residential, and Industrial land uses; and
3. Appropriate transitional use at this location; and
4. Consistent with Plan policies identified at this time.

Furthermore, Planning Staff recommends that prior to the adoption of the administrative land use amendments, the County, in conjunction with the City of Sanford, adopt an interlocal agreement with the following conditions:

1. A zoning overlay for the Celery Avenue Corridor is created and caps the residential density within Section One at 3 dwelling units per net buildable acre;
2. Require central water and sewer services for developments with an intensity greater than one dwelling unit/net buildable acre; and
3. The City of Sanford will assume the maintenance of Celery Avenue through the adoption of a separate interlocal agreement that will address the time and method of transfer.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

\*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.

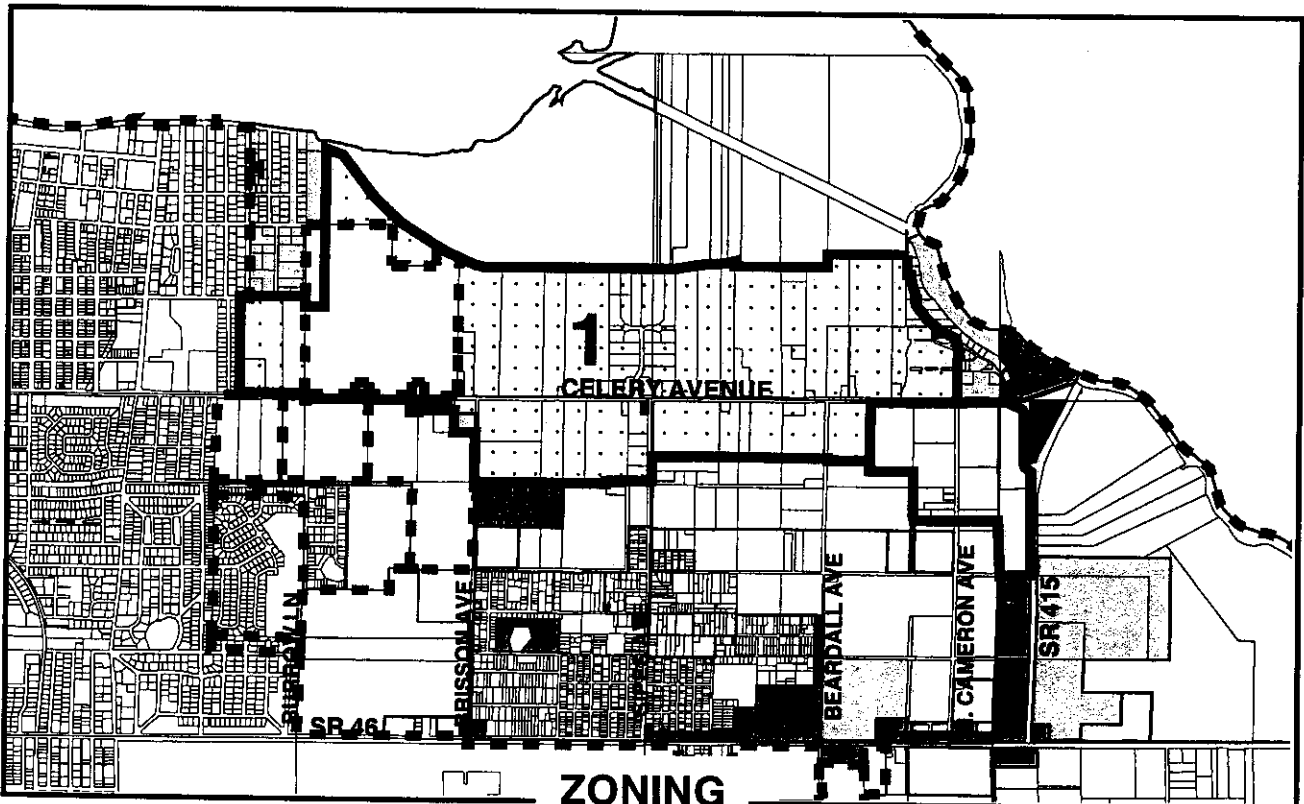


## FUTURE LAND USE

Site ..... Municipality COM LDR PUB SE MDR IND PD  
HIP CONS

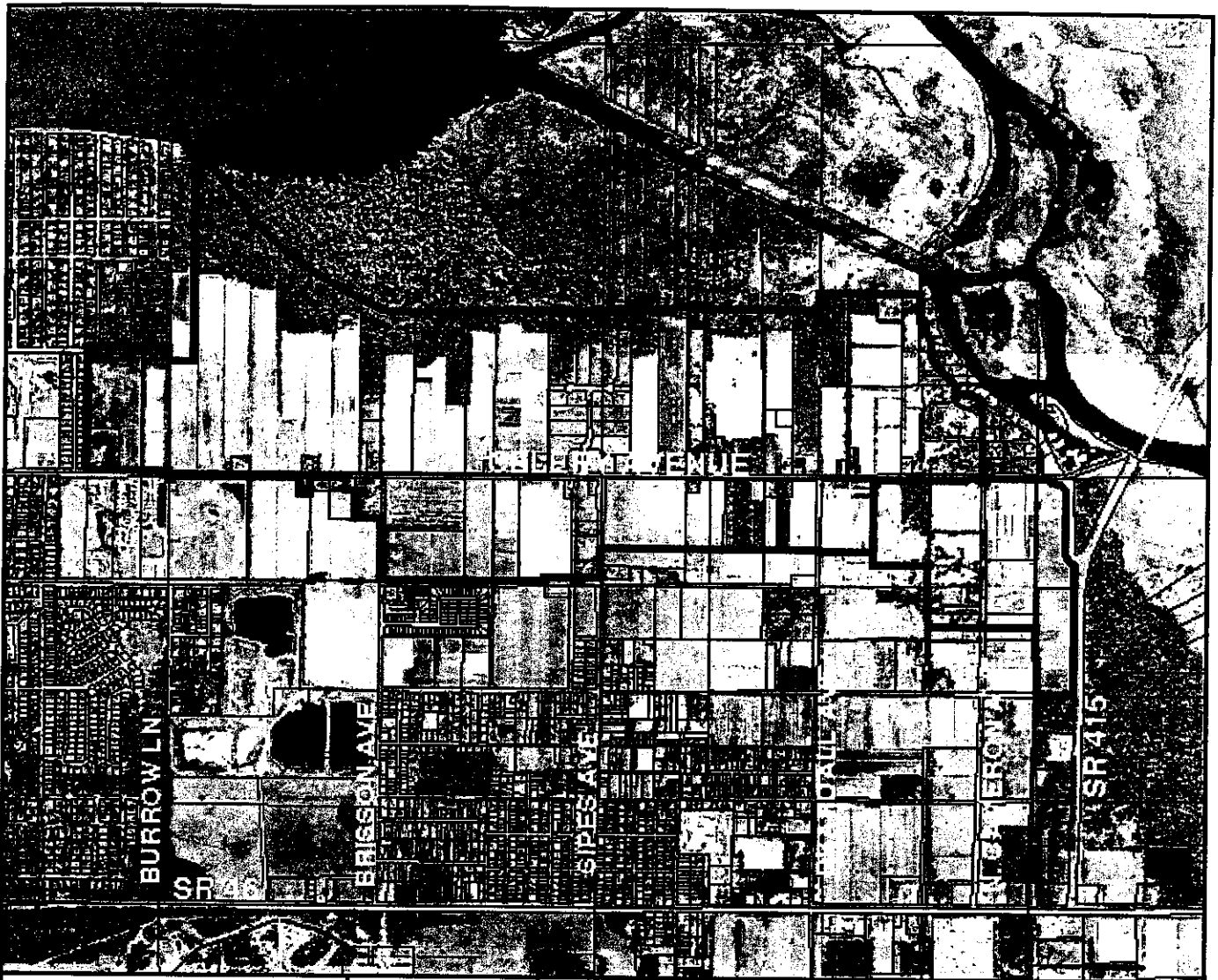
Applicant: Seminole County BCC  
Physical STR: 27, 28, 29, 30, 32, & 33-19-31  
Gross Acres: 552.93 BCC District: 5  
Existing Use: Cropland and Orchard/Groves  
Special Notes:

	Amend/ Rezone#	From	To
FLU	02S.ADM01	SE	LDR
Zoning	Z2002-017	--	--



## ZONING

A-1 C-1 C-2 C-3 R-1 R-1A R-1AA R-2 R-AH  
RM-3 M-1



Amendment No.

02S.ADM01

From: SE To: LDR

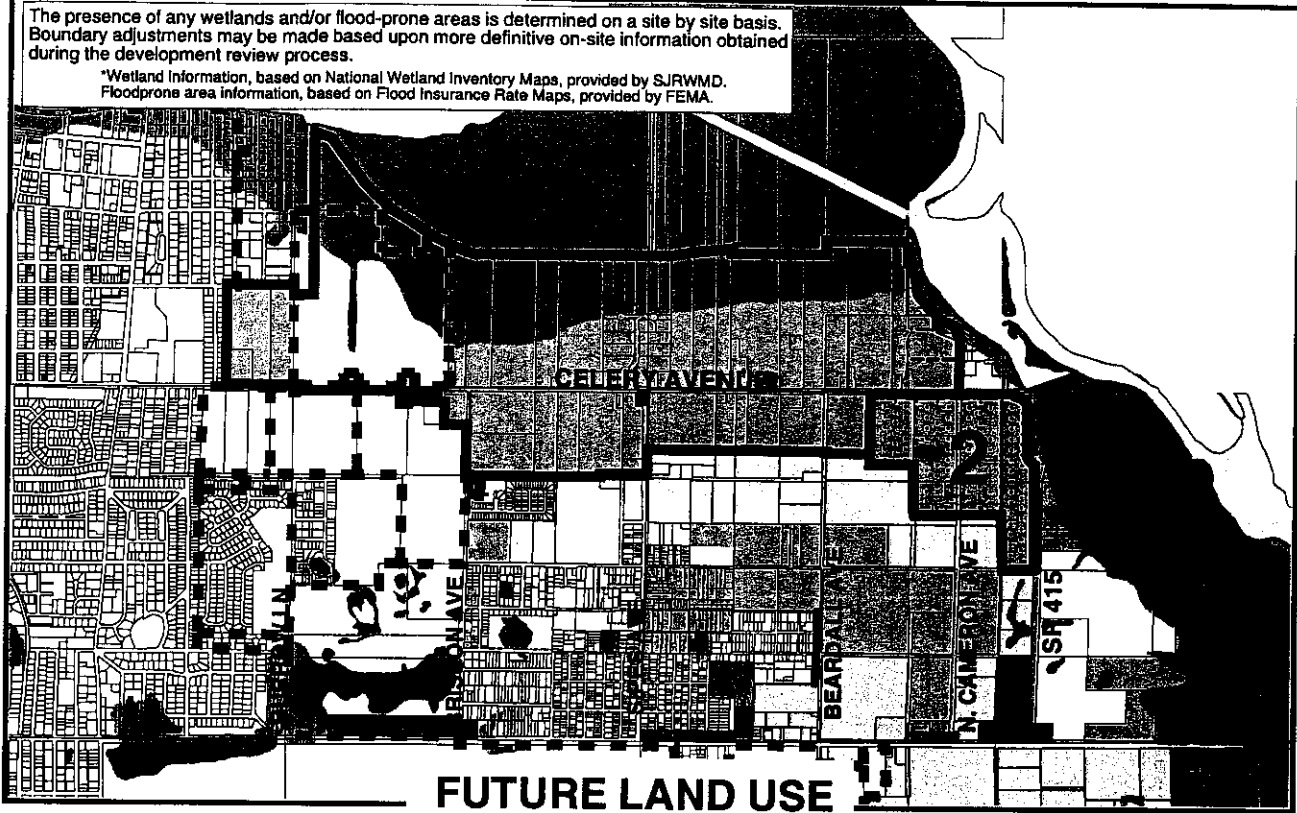
☐ Subject Property  
☐ Parcelbase



February 1999 Color Aerials

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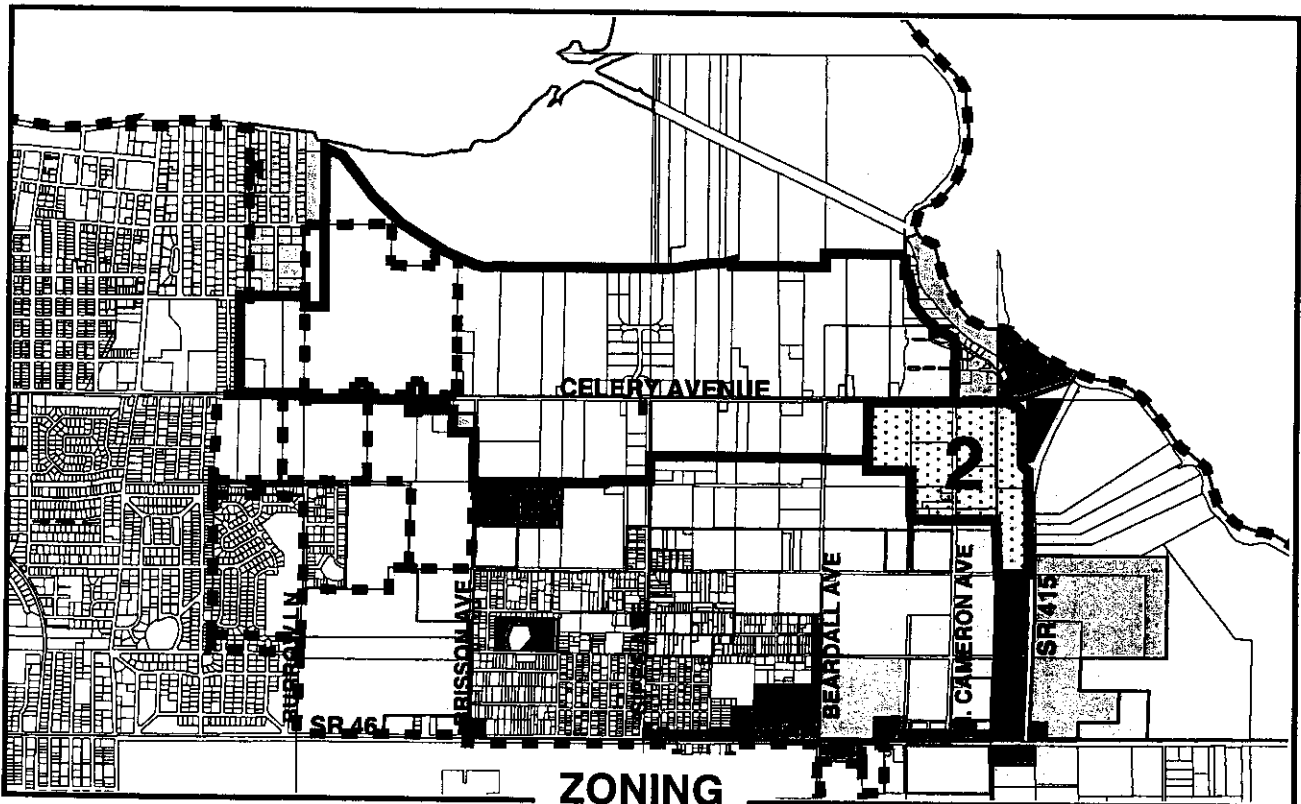
Physical STR: 33 & 34-19-31

Gross Acres: 93.608 BCC District: 5

Existing Use: Vacant, Single Family, Churches

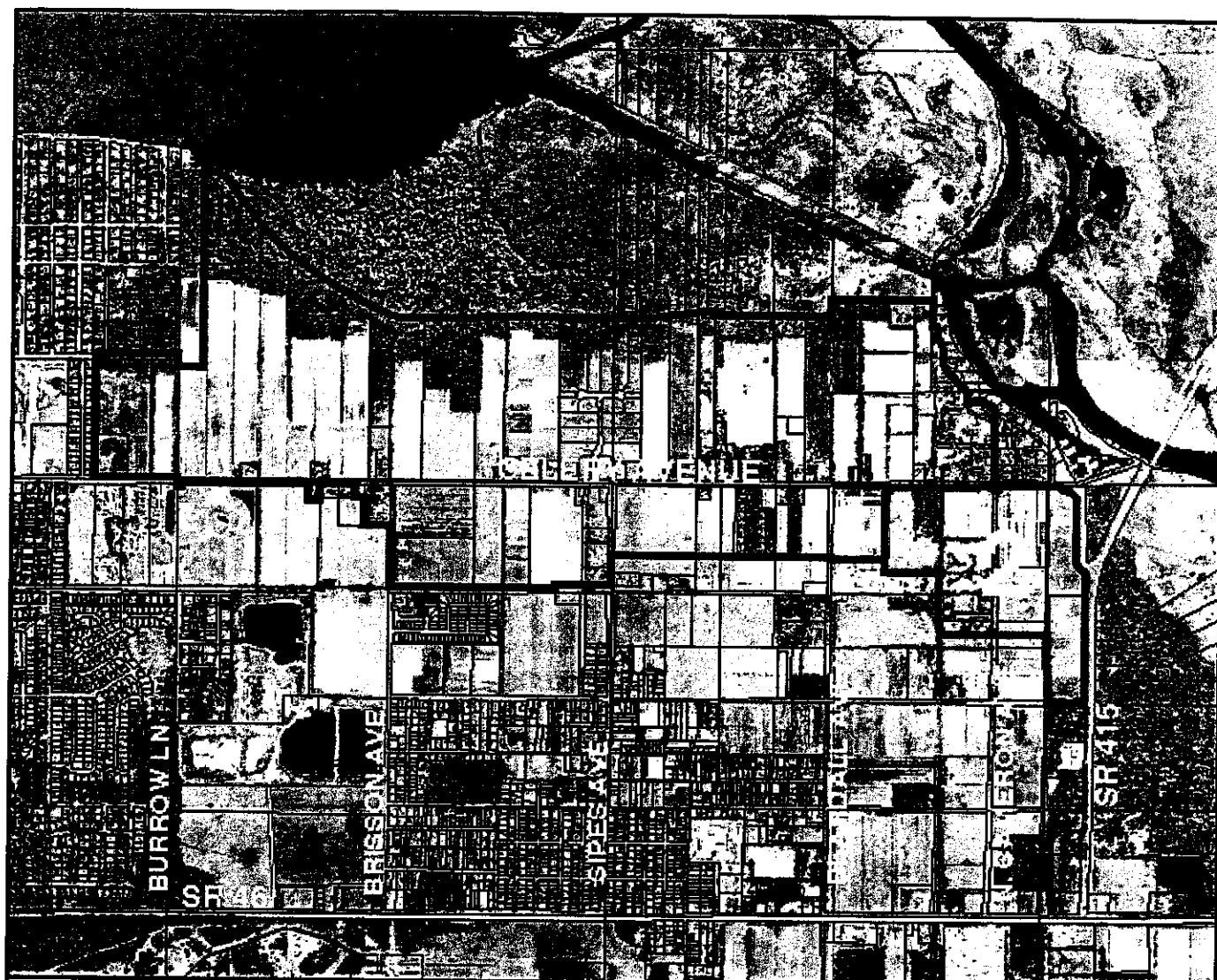
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



Amendment No.

02S.ADM01

From: SE

To: MIXED DEVEL.

 Subject Property

 Parcelbase

N



February 1999 Color Aerials

## ***Celery Avenue***

### **Suburban Estates to Low Density Residential (Section One) and Suburban Estates to Mixed Development (Section Two)**

**Amendment  
02F.ADM01**

#### ***REQUEST***

<b>APPLICANT</b>	Seminole County
<b>PLAN AMENDMENT</b>	Section One: Suburban Estates to Low Density Residential Section Two: Suburban Estates to Mixed Development
<b>REZONING</b>	Not requesting rezoning at this time
<b>APPROXIMATE GROSS ACRES</b>	640
<b>LOCATION</b>	North and south sides of Celery Avenue
<b>SPECIAL ISSUES</b>	In Fall 2001, the County Planning Staff presented a similar administrative land use request to the Board for approval. However, the Board voted not to transmit the proposed amendments to the Department of Community Affairs.
<b>BOARD DISTRICT</b>	#5 – Commissioner McLain

#### ***RECOMMENDATIONS AND ACTIONS***



**STAFF  
RECOMMENDATION  
September 24, 2002**

**PLAN AMENDMENT:**

Planning Staff recommends the transmittal to the Florida Department of Community Affairs of the administrative land use amendment from Suburban Estates to Low Density Residential for review. However, Planning Staff does not recommend adoption of the Low Density Residential land use until an interlocal agreement with the City of Sanford is approved by both jurisdictions, as detailed below, with findings that the Low Density Residential land use, as proposed would be:

1. Consistent with Vision 2020 Plan policies related to the Low Density Residential land use designation; and
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1. Consistent with Vision 2020 Plan policies related to the Mixed Use Development land use designation; and
2. Consistent with adjacent Suburban Estates, Low Density Residential, and Industrial land uses; and
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4. Consistent with Plan policies identified at this time.

Furthermore, Planning Staff recommends that prior to the adoption of the administrative land use amendments, the

	<p>County, in conjunction with the City of Sanford, adopt an interlocal agreement with the following conditions:</p> <ol style="list-style-type: none"><li>1. A zoning overlay for the Celery Avenue Corridor is created and caps the residential density within Section One at 3 dwelling units per net buildable acre;</li><li>2. Require central water and sewer services for developments with an intensity greater than one dwelling unit/net buildable acre; and</li><li>3. The City of Sanford will assume the maintenance of Celery Avenue through the adoption of a separate interlocal agreement that will address the time and method of transfer.</li></ol>
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# STAFF ANALYSIS

<b>Suburban Estates to Low Density Residential (Section One) And Suburban Estates to Mixed Development (Section Two)</b>	<b>Amendment 02F.ADM01</b>
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1. **Property Owner(s):** Various (please see attached property owners listing for detailed information)
2. **Tax Parcel Number(s):** Various (please see attached property owners listing for detailed information)

**Development Trends:** The area consists of primarily large acre agricultural tracts interspersed with homes on large lots greater than one acre used as ranchettes or estate homes. Both land use amendment areas are included in the 1991 Joint Planning Agreement between Seminole County and the City of Sanford. In particular, the Celery Avenue Corridor Area was identified as developing as intensely as the City's Low Density Residential classification of six (6) dwelling units per acre. Within the past year, the City approved two single family subdivisions in the vicinity, which will permit the construction of up to 600 new homes. It should be noted that the Planning Staffs for both the County and the City are negotiating a revision to the Joint Planning Agreement, which incorporates a zoning overlay district and will cap the density at 3 dwelling units per acre for those properties designated as Low Density Residential along the Celery Avenue Corridor.

The Florida Turnpike Authority is conducting a feasibility study for an extension of the Central Florida Greenway to I-95 in Volusia County, which could affect the study area. In addition, with the increased marketability and proposed expansion of the Orlando Sanford International Airport, the Celery Avenue Corridor area will become more attractive for potential housing options for the airport employees.

Finally, the County has brokered a lease with the State of Florida for approximately 60 acres located on the north and south sides of Celery Avenue, known as the IFAS property, for the development of a regional stormwater retention facility, as well as a trailhead, several recreational ball fields, and a Public Works facility.

## SITE DESCRIPTION

### 1. EXISTING AND PERMITTED USES:

- a. The existing Suburban Estates land use would permit the development of agricultural or residential uses (at a maximum net density of 1 dwelling unit/acre) on the site.
- b. The proposed land use (LDR) could potentially permit the development of 2000 single family residential dwelling units.
- c. The proposed land use (MXD) could potentially permit the development of mixed use developments that have both residential and non-residential components. Within the Mixed Development land use classification, multi-family residential projects may develop with densities up to 20 dwelling units per net buildable acre, potentially developing 940 dwelling units.

### Section One

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
North	Suburban Estates and Conservation	A-1	Vacant/Agriculture Uses/Large lot homes/Conservation
South	Low Density Residential and Industrial	A-1, M-1, and R-AH	Vacant/Agriculture Uses/Single Family Residential
East	Suburban Estates and Low Density Residential	A-1 and R-1AA	Vacant/Agriculture Uses/Single Family Residential
West*	Low Density Residential and the City of Sanford	R-1AA and the City of Sanford	Single Family Residential and Conservation

## Section Two

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
North	Suburban Estates and Low Density Residential	A-1	Vacant/Agriculture Uses/Single Family Residential
South	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
East	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
West	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes

\* See enclosed future land use and zoning maps for more details.

## COMPREHENSIVE PLAN CONSISTENCY

**2. PLAN PROGRAMS** - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

### Summary of Program Impacts:

#### **A. Traffic Circulation - Consistency with Future Land Use Element:**

*In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element, Design Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element and adopted Design Element. (Transportation Element Policy 2.1)*

Access to the subject area is primarily along Celery Avenue. The road is substandard concerning pavement width, shoulders, drainage, and intersection improvements, and would need to be improved to County standards prior to accommodating additional development. Access may also be gained to individual parcels within the subject area via Beardall, Sipes, Brisson, and Cameron Avenues, all of which are substandard old farm roads with a roadway width of 18 to 20 feet, inadequate drainage, and in many cases an inadequate structural base. Policy FLU 6.3 of the Vision 2020 Plan states that the County shall require that all development provide services and facilities or phase development as a condition of approval if development needs precede adopted service and facility plans.

A traffic analysis for the Celery Avenue area was prepared. Celery Avenue is currently operating at a LOS "A". Celery Avenue between Sanford Avenue and Mellonville Avenue will operate at LOS "F" in 2020. The other links will operate at a LOS "E" or better. SR 46 between Mellonville Avenue and SR 415 is currently failing as a two-lane road with a LOS of "F". This segment of the SR 46 corridor has been identified for roadway expansion and improvements in the Florida Department of Transportation Long Range Transportation Plan by the year 2020.

The Engineering Division conducted a preliminary review of the Midway area roadways and concluded that in order to provide the necessary safety improvements as required by current codes, an estimated \$11.7 million would have to be allocated collectively to Brisson, Sipes, Beardall, and North Cameron Avenues to upgrade them to County Standards. Through the approval of the second generation 1¢ Sales Tax, the Celery Avenue corridor will receive some drainage improvements, but no monies are allocated for correcting pavement deficiencies.

With the exception of the minor drainage improvements along the Celery Avenue Corridor, the County and the City of Sanford do not have any other roadway or drainage improvements planned for the area. While the proposed land use amendment will provide a logical expansion of residential and mixed development to the east, the progression of the expansion, however, is hindered due to the substandard roadways within the area. Currently, since there are no capacity issues along the Celery Avenue corridor, new residential subdivisions would be permitted to develop although the road is considered substandard in terms of roadway width and inadequate structure base. Engineering Staff have expressed the concern that if the proposed administrative land use amendments are adopted, the existing roadways may not be able to support the traffic from a safety, operational, and structural basis.

County Staff believes that an interlocal agreement with the City of Sanford capping the residential development density within Section One at 3 dwelling units per acre will reduce the burden on Celery Avenue as opposed to a development scenario whereby the City would develop the Corridor area with 6 dwelling units per acre. Essentially, the interlocal agreement would be cutting the potential impact of new residential development along the Celery Avenue Corridor by 50%.

Lastly, the County's Trails program plans to construct a trail along the north side of Celery Avenue with a major trailhead located on the IFAS property. This trail is in the planning stages at this time.

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:**

Figure 11.1 and Figure 14.1 display the water and sewer service area maps for Seminole County. The subject properties are within the Seminole County water and sewer service areas.

The subject area is within the City of Sanford water and sewer service area. The City of Sanford has planned over \$45 million in sewer and potable water upgrades and improvements and anticipates installing a new lift station to expand capacity in that area. In addition, the new sewage treatment plant south of the Airport will be completed in about two years. At that time Celery Avenue will be accommodated by the new treatment facility. In the meantime, the new lift station will allow adequate sewage treatment for existing and currently proposed development on Celery Avenue. The City of Sanford further states that the existing water lines are adequate for the existing and proposed development on Celery Avenue. Development beyond what is currently proposed may warrant additional water capacity and future needs would be assessed concurrent with future development proposals.

Policy FLU 6.4 of the Vision 2020 Plan states that the County shall not approve any residential subdivisions or non-residential development without connecting to urban services. Therefore, any proposed development that exceeds one dwelling unit/net buildable acre will be required to connect to water and sewer services.

C. **Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2)*

The property is served by the Seminole County EMS/Fire Rescue Fire Station (Station # 41) and by the City of Sanford EMS/Fire Rescue Fire Station (Station #31). Response time to the site is less than 5 minutes, which meets the County's average response time standard.

**3. REGULATIONS -** The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan, but are not applied in detail at this stage.

A. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1)*

*and Wetlands (W-1) Overlay Zoning classifications....(Future Land Use Policies 1.1, 1.2, 1.3).*

According to the County's Geographic Information Systems (GIS) data approximately 179 acres or twenty-eight percent (28%) of the subject area is considered wetlands and/or floodprone. The subject area is located within the County's urban service boundary, which may permit the development and mitigation of the wetlands, as long as the ability of the urban wetlands are able to retain their pre-development hydrology/hydro-period shall be maintained and not compromised by development activities. (Policy Con 7.7).

- B. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, that prior to development approval, proposed development to coordinate with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife. (Conservation Policy 3.13)*

Prior to submission of final engineering plans for development within the subject area, a survey of threatened and endangered and species of special concern will be required to determine the presence of any endangered or threatened wildlife. If any listed species are found to be potentially impacted by proposed development, permits from the appropriate agencies will be required.

**4. DEVELOPMENT POLICIES** – Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location and timing of the proposed amendment.

- A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Seminole County Comprehensive Plan, known as Vision 2020 Plan, (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property, no creation of new strip commercial developments through plan amendments, etc.)

1. **Transitional Land Uses:** *The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and*



*non-residential uses, between varying intensities of residential...Exhibit Future Land Use: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.*

FLU Exhibit 2 of the Future Land Use Element indicates that Low Density Residential is an appropriate transitional land use adjacent to the Suburban Estates land use to the north and east. To the south of section one, there is some Industrial and Low Density Residential land uses. In 2000, the County revised the active/passive buffer requirements of the Land Development Code (Ordinance 2000-13). The revised Code states that the active/passive buffer requirements shall not be applied to a parcel if (1) the parcel has existed adjacent to a parcel that would not have required active/passive buffers, and (2) the adjacent parcel has received a residential land use designation after March 1, 2000, that would otherwise require the enforcement of the buffer requirements, thus, shifting the burden for any buffering from the industrial land uses upon the residential developer. Planning Staff is working with the City of Sanford in developing an overlay district, which would require the non-residential parcels to adequately buffer the residential developments.

FLU Exhibit 2 is silent to the appropriateness of Mixed Development adjacent to other land use classifications. Through the rezoning of said properties from A-1 (Agriculture) to PUD (Planned Unit Development) or PCD (Planned Commercial Development), will ensure that sensitive site design, buffering and transitioning of uses will appropriately determine the compatibility of the proposed development adjacent to the Low Density Residential, Industrial, and Suburban Estates land uses.

- 2. MIXED DEVELOPMENT (MXD):***This land use provides for a mix of uses within a development site or within a multiple parcel area to encourage flexible and creative design, to protect established residential neighborhoods from adverse impacts from nonresidential development and to reduce the cost of public infrastructure. The Mixed Development designation allows for a transition of uses from parcel to parcel to protect residential uses from adverse impacts of nonresidential uses. (Vision 2020 Comprehensive Plan – Definition of Mixed Development)*

During the 2000-2001 SR 415/Celery Avenue Study, it was identified that as development intensities increase in the area, there may be a need for additional neighborhood commercial uses to support the community. Therefore, Planning Staff identified those properties adjacent to Cameron Avenue and Celery Avenue, Section Two (2), as an area that could support some neighborhood commercial uses. Planning Staff believes that through sensitive site design, limitation of uses and the area's close proximity to SR 415, a minor arterial road, and Celery Avenue, a collector road, some commercialization at these intersections would not set a precedent for strip development.

Other applicable plan policies include:

Conservation Easements Policy FLU 1.4  
Historic and Archaeological Resources Policy FLU 1.9  
Wetlands Protection Policy FLU 1.3  
Transitional Land Uses Policy FLU 2.5  
Water and Sewer Service Expansion Policy FLU 5.5  
Mixed Use Developments Policy FLU 5.16  
Infrastructure and Phasing Requirements Policy LFU 6.3  
Relationship of Land Use to Zoning Classifications Policy FLU 12.4  
Wetlands Regulation Policy CON 3.4  
Flood Prone Overlay Zoning District: Policy CON 3.5  
Conservation Easements: Conservation Element Policy CON 3.9  
Agency Regulation Coordination: Conservation Element Policy CON 3.10  
Promote Mixed Use Centers Policy TRA 5.2  
Criteria for Designation of New Mixed Use Centers Policy TRA 5.10  
Municipal Participation Policy TRA 14.13  
Multi-Jurisdictional Review Policy TRA 14.14

- B. **Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element...(Capital Improvements Policy 3.2)*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

**5. COORDINATION** – Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

- A. **Plan Coordination:** *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies ...as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3)*

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1. Consistent with Vision 2020 Plan policies related to the Mixed Use Development land use designation; and
2. Consistent with adjacent Suburban Estates, Low Density Residential, and Industrial land uses; and
3. Appropriate transitional use at this location; and
4. Consistent with Plan policies identified at this time.

Furthermore, Planning Staff recommends that prior to the adoption of the administrative land use amendments, the County, in conjunction with the City of Sanford, adopt an interlocal agreement with the following conditions:

1. A zoning overlay for the Celery Avenue Corridor is created and caps the residential density within Section One at 3 dwelling units per net buildable acre;
2. Require central water and sewer services for developments with an intensity greater than one dwelling unit/net buildable acre; and
3. The City of Sanford will assume the maintenance of Celery Avenue through the adoption of a separate interlocal agreement that will address the time and method of transfer.

## ***Celery Avenue***

### **Suburban Estates to Low Density Residential (Section One) and Suburban Estates to Mixed Development (Section Two)**

**Amendment  
02F.ADM01**

#### ***REQUEST***

<b>APPLICANT</b>	Seminole County
<b>PLAN AMENDMENT</b>	Section One: Suburban Estates to Low Density Residential Section Two: Suburban Estates to Mixed Development
<b>REZONING</b>	Not requesting rezoning at this time
<b>APPROXIMATE GROSS ACRES</b>	640
<b>LOCATION</b>	North and south sides of Celery Avenue
<b>SPECIAL ISSUES</b>	In Fall 2001, the County Planning Staff presented a similar administrative land use request to the Board for approval. However, the Board voted not to transmit the proposed amendments to the Department of Community Affairs.
<b>BOARD DISTRICT</b>	#5 – Commissioner McLain

#### ***RECOMMENDATIONS AND ACTIONS***

**STAFF  
RECOMMENDATION  
September 24, 2002**

**PLAN AMENDMENT:**

Planning Staff recommends the transmittal to the Florida Department of Community Affairs of the administrative land use amendment from Suburban Estates to Low Density Residential for review. However, Planning Staff does not recommend adoption of the Low Density Residential land use until an interlocal agreement with the City of Sanford is approved by both jurisdictions, as detailed below, with findings that the Low Density Residential land use, as proposed would be:

1. Consistent with Vision 2020 Plan policies related to the Low Density Residential land use designation; and
2. Consistent with adjacent Suburban Estates land use; and
3. Appropriate transitional use at this location; and
4. Consistent with the development trends for the development of single family residential subdivisions along the Celery Avenue Corridor within the City of Sanford; and
5. The proposed Low Density Residential land use represents an orderly progression from developed areas in the west to the east; and
6. Consistent with Vision 2020 Plan policies identified at this time.

Planning Staff recommends the transmittal to the Florida Department of Community Affairs of the administrative land use amendment from Suburban Estates to Mixed Development for review. However, Planning Staff does not recommend adoptions of the Mixed Use Development land uses until an interlocal agreement with the City of Sanford is approved by both jurisdictions as detailed below with findings that the Mixed Use Development, as proposed, would be:

1. Consistent with Vision 2020 Plan policies related to the Mixed Use Development land use designation; and
2. Consistent with adjacent Suburban Estates, Low Density Residential, and Industrial land uses; and
3. Appropriate transitional use at this location; and
4. Consistent with Plan policies identified at this time.

Furthermore, Planning Staff recommends that prior to the adoption of the administrative land use amendments, the

	<p>County, in conjunction with the City of Sanford, adopt an interlocal agreement with the following conditions:</p>
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1. A zoning overlay for the Celery Avenue Corridor is created and caps the residential density within Section One at 3 dwelling units per net buildable acre;
2. Require central water and sewer services for developments with an intensity greater than one dwelling unit/net buildable acre; and
3. The City of Sanford will assume the maintenance of Celery Avenue through the adoption of a separate interlocal agreement that will address the time and method of transfer.



## **STAFF ANALYSIS**

<b>Suburban Estates to Low Density Residential (Section One) And Suburban Estates to Mixed Development (Section Two)</b>	<b>Amendment 02F.ADM01</b>
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1. **Property Owner(s):** Various (please see attached property owners listing for detailed information)
2. **Tax Parcel Number(s):** Various (please see attached property owners listing for detailed information)

**Development Trends:** The area consists of primarily large acre agricultural tracts interspersed with homes on large lots greater than one acre used as ranchettes or estate homes. Both land use amendment areas are included in the 1991 Joint Planning Agreement between Seminole County and the City of Sanford. In particular, the Celery Avenue Corridor Area was identified as developing as intensely as the City's Low Density Residential classification of six (6) dwelling units per acre. Within the past year, the City approved two single family subdivisions in the vicinity, which will permit the construction of up to 600 new homes. It should be noted that the Planning Staffs for both the County and the City are negotiating a revision to the Joint Planning Agreement, which incorporates a zoning overlay district and will cap the density at 3 dwelling units per acre for those properties designated as Low Density Residential along the Celery Avenue Corridor.

The Florida Turnpike Authority is conducting a feasibility study for an extension of the Central Florida Greenway to I-95 in Volusia County, which could affect the study area. In addition, with the increased marketability and proposed expansion of the Orlando Sanford International Airport, the Celery Avenue Corridor area will become more attractive for potential housing options for the airport employees.

Finally, the County has brokered a lease with the State of Florida for approximately 60 acres located on the north and south sides of Celery Avenue, known as the IFAS property, for the development of a regional stormwater retention facility, as well as a trailhead, several recreational ball fields, and a Public Works facility.

## SITE DESCRIPTION

### 1. EXISTING AND PERMITTED USES:

- a. The existing Suburban Estates land use would permit the development of agricultural or residential uses (at a maximum net density of 1 dwelling unit/acre) on the site.
- b. The proposed land use (LDR) could potentially permit the development of 2000 single family residential dwelling units.
- c. The proposed land use (MXD) could potentially permit the development of mixed use developments that have both residential and non-residential components. Within the Mixed Development land use classification, multi-family residential projects may develop with densities up to 20 dwelling units per net buildable acre, potentially developing 940 dwelling units.

### Section One

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
North	Suburban Estates and Conservation	A-1	Vacant/Agriculture Uses/Large lot homes/Conservation
South	Low Density Residential and Industrial	A-1, M-1, and R-AH	Vacant/Agriculture Uses/Single Family Residential
East	Suburban Estates and Low Density Residential	A-1 and R-1AA	Vacant/Agriculture Uses/Single Family Residential
West*	Low Density Residential and the City of Sanford	R-1AA and the City of Sanford	Single Family Residential and Conservation

## Section Two

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
North	Suburban Estates and Low Density Residential	A-1	Vacant/Agriculture Uses/Single Family Residential
South	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
East	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes
West	Suburban Estates	A-1	Vacant/Agriculture Uses/Large lot homes

\* See enclosed future land use and zoning maps for more details.

## COMPREHENSIVE PLAN CONSISTENCY

**2. PLAN PROGRAMS** - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

### **Summary of Program Impacts:**

#### **A. Traffic Circulation - Consistency with Future Land Use Element:**

*In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element, Design Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element and adopted Design Element. (Transportation Element Policy 2.1)*

Access to the subject area is primarily along Celery Avenue. The road is substandard concerning pavement width, shoulders, drainage, and intersection improvements, and would need to be improved to County standards prior to accommodating additional development. Access may also be gained to individual parcels within the subject area via Beardall, Sipes, Brisson, and Cameron Avenues, all of which are substandard old farm roads with a roadway width of 18 to 20 feet, inadequate drainage, and in many cases an inadequate structural base. Policy FLU 6.3 of the Vision 2020 Plan states that the County shall require that all development provide services and facilities or phase development as a condition of approval if development needs precede adopted service and facility plans.

A traffic analysis for the Celery Avenue area was prepared. Celery Avenue is currently operating at a LOS "A". Celery Avenue between Sanford Avenue and Mellonville Avenue will operate at LOS "F" in 2020. The other links will operate at a LOS "E" or better. SR 46 between Mellonville Avenue and SR 415 is currently failing as a two-lane road with a LOS of "F". This segment of the SR 46 corridor has been identified for roadway expansion and improvements in the Florida Department of Transportation Long Range Transportation Plan by the year 2020.

The Engineering Division conducted a preliminary review of the Midway area roadways and concluded that in order to provide the necessary safety improvements as required by current codes, an estimated \$11.7 million would have to be allocated collectively to Brisson, Sipes, Beardall, and North Cameron Avenues to upgrade them to County Standards. Through the approval of the second generation 1¢ Sales Tax, the Celery Avenue corridor will receive some drainage improvements, but no monies are allocated for correcting pavement deficiencies.

With the exception of the minor drainage improvements along the Celery Avenue Corridor, the County and the City of Sanford do not have any other roadway or drainage improvements planned for the area. While the proposed land use amendment will provide a logical expansion of residential and mixed development to the east, the progression of the expansion, however, is hindered due to the substandard roadways within the area. Currently, since there are no capacity issues along the Celery Avenue corridor, new residential subdivisions would be permitted to develop although the road is considered substandard in terms of roadway width and inadequate structure base. Engineering Staff have expressed the concern that if the proposed administrative land use amendments are adopted, the existing roadways may not be able to support the traffic from a safety, operational, and structural basis.

County Staff believes that an interlocal agreement with the City of Sanford capping the residential development density within Section One at 3 dwelling units per acre will reduce the burden on Celery Avenue as opposed to a development scenario whereby the City would develop the Corridor area with 6 dwelling units per acre. Essentially, the interlocal agreement would be cutting the potential impact of new residential development along the Celery Avenue Corridor by 50%.

Lastly, the County's Trails program plans to construct a trail along the north side of Celery Avenue with a major trailhead located on the IFAS property. This trail is in the planning stages at this time.

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:**

Figure 11.1 and Figure 14.1 display the water and sewer service area maps for Seminole County. The subject properties are within the Seminole County water and sewer service areas.

The subject area is within the City of Sanford water and sewer service area. The City of Sanford has planned over \$45 million in sewer and potable water upgrades and improvements and anticipates installing a new lift station to expand capacity in that area. In addition, the new sewage treatment plant south of the Airport will be completed in about two years. At that time Celery Avenue will be accommodated by the new treatment facility. In the meantime, the new lift station will allow adequate sewage treatment for existing and currently proposed development on Celery Avenue. The City of Sanford further states that the existing water lines are adequate for the existing and proposed development on Celery Avenue. Development beyond what is currently proposed may warrant additional water capacity and future needs would be assessed concurrent with future development proposals.

Policy FLU 6.4 of the Vision 2020 Plan states that the County shall not approve any residential subdivisions or non-residential development without connecting to urban services. Therefore, any proposed development that exceeds one dwelling unit/net buildable acre will be required to connect to water and sewer services.

C. **Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2)*

The property is served by the Seminole County EMS/Fire Rescue Fire Station (Station # 41) and by the City of Sanford EMS/Fire Rescue Fire Station (Station #31). Response time to the site is less than 5 minutes, which meets the County's average response time standard.

**3. REGULATIONS** - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan, but are not applied in detail at this stage.

A. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1)*

*and Wetlands (W-1) Overlay Zoning classifications...(Future Land Use Policies 1.1, 1.2, 1.3).*

According to the County's Geographic Information Systems (GIS) data approximately 179 acres or twenty-eight percent (28%) of the subject area is considered wetlands and/or floodprone. The subject area is located within the County's urban service boundary, which may permit the development and mitigation of the wetlands, as long as the ability of the urban wetlands are able to retain their pre-development hydrology/hydro-period shall be maintained and not compromised by development activities. (Policy Con 7.7).

- B. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, that prior to development approval, proposed development to coordinate with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife. (Conservation Policy 3.13)*

Prior to submission of final engineering plans for development within the subject area, a survey of threatened and endangered and species of special concern will be required to determine the presence of any endangered or threatened wildlife. If any listed species are found to be potentially impacted by proposed development, permits from the appropriate agencies will be required.

**4. DEVELOPMENT POLICIES** – Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location and timing of the proposed amendment.

- A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Seminole County Comprehensive Plan, known as Vision 2020 Plan, (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property, no creation of new strip commercial developments through plan amendments, etc.)

1. **Transitional Land Uses:** *The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and*

*non-residential uses, between varying intensities of residential...Exhibit Future Land Use: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.*

FLU Exhibit 2 of the Future Land Use Element indicates that Low Density Residential is an appropriate transitional land use adjacent to the Suburban Estates land use to the north and east. To the south of section one, there is some Industrial and Low Density Residential land uses. In 2000, the County revised the active/passive buffer requirements of the Land Development Code (Ordinance 2000-13). The revised Code states that the active/passive buffer requirements shall not be applied to a parcel if (1) the parcel has existed adjacent to a parcel that would not have required active/passive buffers, and (2) the adjacent parcel has received a residential land use designation after March 1, 2000, that would otherwise require the enforcement of the buffer requirements, thus, shifting the burden for any buffering from the industrial land uses upon the residential developer. Planning Staff is working with the City of Sanford in developing an overlay district, which would require the non-residential parcels to adequately buffer the residential developments.

FLU Exhibit 2 is silent to the appropriateness of Mixed Development adjacent to other land use classifications. Through the rezoning of said properties from A-1 (Agriculture) to PUD (Planned Unit Development) or PCD (Planned Commercial Development), will ensure that sensitive site design, buffering and transitioning of uses will appropriately determine the compatibility of the proposed development adjacent to the Low Density Residential, Industrial, and Suburban Estates land uses.

- 2. MIXED DEVELOPMENT (MXD):***This land use provides for a mix of uses within a development site or within a multiple parcel area to encourage flexible and creative design, to protect established residential neighborhoods from adverse impacts from nonresidential development and to reduce the cost of public infrastructure. The Mixed Development designation allows for a transition of uses from parcel to parcel to protect residential uses from adverse impacts of nonresidential uses. (Vision 2020 Comprehensive Plan – Definition of Mixed Development)*

During the 2000-2001 SR 415/Celery Avenue Study, it was identified that as development intensities increase in the area, there may be a need for additional neighborhood commercial uses to support the community. Therefore, Planning Staff identified those properties adjacent to Cameron Avenue and Celery Avenue, Section Two (2), as an area that could support some neighborhood commercial uses. Planning Staff believes that through sensitive site design, limitation of uses and the area's close proximity to SR 415, a minor arterial road, and Celery Avenue, a collector road, some commercialization at these intersections would not set a precedent for strip development.

Other applicable plan policies include:

Conservation Easements Policy FLU 1.4  
 Historic and Archaeological Resources Policy FLU 1.9  
 Wetlands Protection Policy FLU 1.3  
 Transitional Land Uses Policy FLU 2.5  
 Water and Sewer Service Expansion Policy FLU 5.5  
 Mixed Use Developments Policy FLU 5.16  
 Infrastructure and Phasing Requirements Policy LFU 6.3  
 Relationship of Land Use to Zoning Classifications Policy FLU 12.4  
 Wetlands Regulation Policy CON 3.4  
 Flood Prone Overlay Zoning District: Policy CON 3.5  
 Conservation Easements: Conservation Element Policy CON 3.9  
 Agency Regulation Coordination: Conservation Element Policy CON 3.10  
 Promote Mixed Use Centers Policy TRA 5.2  
 Criteria for Designation of New Mixed Use Centers Policy TRA 5.10  
 Municipal Participation Policy TRA 14.13  
 Multi-Jurisdictional Review Policy TRA 14.14

- B. **Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element...(Capital Improvements Policy 3.2)*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

**5. COORDINATION** – Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

- A. **Plan Coordination:** *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies ...as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3)*